

By: Burrows, Oliveira, Frullo

H.B. No. 1689

A BILL TO BE ENTITLED

AN ACT

relating to liability of certain governmental entities in certain workers' compensation actions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 101.028, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 101.028. WORKERS' COMPENSATION INSURANCE. (a) In this section, "political subdivision" has the meaning assigned by Section 504.001, Labor Code.

(b) A governmental unit that has workers' compensation insurance or that accepts the workers' compensation laws of this state is entitled to the privileges and immunities granted by the workers' compensation laws of this state to private individuals and corporations.

(c) A political subdivision that self-insures either individually or collectively is liable for sanctions, administrative penalties, and other remedies authorized under Chapter 415, Labor Code.

SECTION 2. Section 504.053(e), Labor Code, is amended to read as follows:

(e) Nothing in this chapter waives sovereign immunity or creates a new cause of action beyond the actions, damages, and remedies authorized by Chapter 101, Civil Practice and Remedies Code.

1 SECTION 3. Section 101.028, Civil Practice and Remedies
2 Code, as amended by this Act, applies only to an administrative
3 violation under Chapter 415, Labor Code, that occurs on or after the
4 effective date of this Act. An administrative violation under
5 Chapter 415, Labor Code, that occurs before the effective date of
6 this Act is governed by the law applicable to the violation
7 immediately before the effective date of this Act, and that law is
8 continued in effect for that purpose.

9 SECTION 4. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2017.